GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MA & UD Department - The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and in Deviation to the Sanctioned Plan Rules, 2019 – Notification – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (M) DEPARTMENT

G.O.Ms.No.14 Dated: 04.01.2019

Read the following:

1. G.O.Ms. No. 154 MA & UD (M) Department, Dated: 13-03-2007.
2. G.O.Ms.No.128, MA & UD (M1) Department,Dated:22.05.2015.
3. G.O.Ms.No.243, MA&UD (M) Department, Dated: 24.07.2018.
4. The Municipal Corporations, the Andhra Pradesh Municipalities, the Andhra Pradesh Capital Region Development Authority and the Andhra Pradesh Metropolitan Region Development Authorities (Amendment) Act, 2018 (Act No.34 of 2018).
5. G.O.Ms. No. 366 MA & UD (M) Department, Dated: 19-11-2018.

* * *

ORDER:

1. The Government had notified the Andhra Pradesh Regulation and Penalization of unauthorizedly constructed buildings and buildings constructed in deviation of the Sanctioned Plan Rules, 2015 in the G.O. 2nd read above.

2. Government had also notified the Rules regarding Regularization of the constructions made on the Government lands (Unobjectionable Encroachments) which are either regularized or proposed to be regularized by the Revenue department in the G.O 3rd read above.

3. Further, the Commissioners of Municipal Corporations, Municipalities, Nagar Panchayats, Commissioner of Andhra Pradesh Capital Region Development Authority, Metropolitan Commissioner of Visakhapatnam Metropolitan Region Development Authority and Vice-Chairmen of Urban Development Authorities have been mandated to regulate and penalize the buildings constructed unauthorizedly and in deviation to sanctioned plan as on 31-08-2018 as a one-time measure in the reference 4th read above.

4. Government have decided to issue the Andhra Pradesh Regulation and Penalization of Buildings Constructed unauthorizedly and in deviation to the Sanctioned Plan Rules, 2019 to implement the legislative intent in the ref. 4th read above and in supersession of rules notified in G.O.Ms.No.128, MA & UD (M1) Dept., Dated: 22.05.2015.

5. Accordingly, the following Notification will be published in an Extraordinary issue of the Andhra Pradesh Gazette dated: 07.01.2019.

NOTIFICATION

In exercise of the powers conferred by section 455-AA of the Municipal Corporations Act, 1955, section 218-A of the Andhra Pradesh Municipalities Act, 1965, section 108-A of the Andhra Pradesh Capital Region Development Authority Act, 2014 and section 90-A of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, and in supersession of the Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorisedly In Deviation of the Sanctioned Plan Rules, 2015 issued in G.O. Ms. No 128 MA & UD, dated 22.05.2015, the Government of Andhra Pradesh hereby make the following Rules:

1. Short Title, Applicability and Commencement:

(1) These rules may be called "The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and In Deviation to the Sanctioned Plan Rules, 2019".

(2) They shall be applicable to the existing buildings constructed after 1-1-1985 and before **31-08-2018** in the jurisdiction of all, Municipal Corporations, Municipalities, Nagar Panchayats, Gram Panchayats falling in the Capital Region Development Authority except those included in the 'Capital City Area' of A.P Capital Region Development Authority(APCRDA), Gram Panchayats falling in Urban Development Authorities & Visakhapatnam-Kakinada Petroleum, Chemical & Petro-Chemical Investment Region Special Development Authority (VK-PCPIR SDA), Gram Panchayats falling in Metropolitan Region Development Authority and Industrial Area Local Authority (IALA) in Andhra Pradesh.

(3) They shall come into force from the date of publication of the Notification in the Andhra Pradesh Gazette.

2. Definitions:

(1) "Built up area" means the area including common areas and balconies but excluding Parking area in the building.

(2) "Competent Authority" means the Municipal Commissioners in case of areas falling in Urban Local Bodies, the Vice Chairmen in case of Gram Panchayats falling under Urban Development Authorities & Visakhapatnam-Kakinada Petroleum, Chemical & Petro-Chemical Investment Region Special Development Authority (VK-PCPIR SDA), Metropolitan Commissioner in case of Gram Panchayats falling in Visakhapatnam Metropolitan Region Development Authority (VMRDA) and the Commissioner of the Andhra Pradesh Capital Region Development Authority in case of Gram Panchayats falling in the 'Capital Region' except those included in the 'Capital City Area' of Capital Region Development Authority and the Commissioner in case of the Industrial Area Local Authority (IALA).

(3) "Licensed Technical Personnel" means professionals authorized by the Competent Authority to submit Application in Online for Regulation and Penalization of buildings under these Rules;

(4) "Unauthorized construction" means any building that has been constructed in violation of the sanctioned building plan or without obtaining a building permission from the sanctioning authority.

3. Compulsory Application for Penalization:

(1) The application for Regulation and Penalization of Buildings shall be made through online only. The URL of the website for applying is "www.bps.ap.gov.in".

(2) The application shall be uploaded in the online Building Penalization Scheme Module of the respective Urban Local Body, Capital Region Development Authority (except Capital City area), Metropolitan Region

Development Authority, Urban Development Authorities, VKPCPIR-SDA and IALA.

(3) An Application for regulation and penalization of the buildings constructed unauthorizedly and in deviation to the sanctioned plan shall be compulsorily made by the Owner/General Power Attorney / Registered Association in the Website, in the prescribed proforma along with declaration, self computing table, copy of sanctioned building plan, if any, a clear latest photographs of the building, copy of document of ownership title, Indemnity Bond and drawings showing the sanctioned area and violated area of the building / complex and in case of totally unauthorized constructions the total built up area along with the site plan.

(4) The format of Application, self computing tables, indemnity bond and list of documents to be submitted along with application are given in Annexure-I.

(5) The applicant shall get the plans prepared duly scrutinized by the Licensed Technical Personnel who shall undertake the field inspection for the purpose.

(6) The application shall be filed within **ninety days** from the date of Notification of these rules along with the prescribed penal amount as given in rule 5.

(7) If any owner/individual fails to apply within the stipulated time, he shall be liable for enforcement action under the law and the buildings constructed unauthorizedly and in deviation to the sanctioned plan shall also be liable for enforcement action under the Law and such buildings shall not be taken up for regulation and penalization under these rules.

(8) Necessary certificate from the Licensed Structural Engineer with regard to structural safety compliance of all buildings shall be submitted along with the Application for regulation and penalization of the buildings.

4. Prior clearance from other Authorities/Departments in certain cases:

(1) In the following cases, prior clearance (NOC) shall be obtained by the Applicants from the concerned Authorities before considering the application under these Rules by the Competent Authority.

(a) In respect of cases of residential buildings with 18 mtrs and above in height, Commercial buildings above 15 mtrs in height, and buildings of public congregation like Schools, Cinema theatres, Function halls and other Assembly buildings on plot area of 500 sq.m and above or of height above 6 mtrs as stipulated in section 13 of the Andhra Pradesh Fire Service Act, 1999 from the Andhra Pradesh State Disaster Response & Fire Services Department.

The Andhra Pradesh State Disaster Response & Fire Services Department shall issue NOCs in this regard after ensuring the fire safety measures specified in G.O.Ms.No.154 MA & UD dt: 13-03-2007.

(b) From Airport Authority of India wherever applicable.

(2) Applicants shall submit such applications along with the above details within the stipulated time.

5. Payment of Penal Charges:

(1) All Penal Charges payable under these rules shall be payable through online payment instruments such as Credit Cards, Debit Cards / Net Banking / UPI / NEFT /RTGS / Meeseva / Wallet only through the website specified in rule 3(1).

(2) The penal charges payable are specified in Annexure III to V of these Rules. The penal charges are levied for the total violated built up area on all floors for the building constructed deviating the approved plan and total Built up area in all floors for the building constructed unauthorisedly excluding parking place. The penal charges include building permit fee, development charges, betterment charges, impact fees, etc. No other fees and charges shall be levied and collected.

(3) Buildings constructed in unauthorized layouts shall also be regularized by collecting penal amount charges as prescribed in G.O.Ms No 902 MA&UD Dept. dated 31-12-2007 as subsequently amended. For such cases market value shall be considered as on 01.08.2018 for calculation of penal charges. Proportionate Open Space charges will be levied as per the value mentioned in the registered document of the applicant / present owner.

(4) The applications which were filed under previous BPS/LRS 2007 & BPS 2015 and at various stages are deemed to have been rejected. However the penal charges paid in such cases can be adjusted in the present scheme if applied under these Rules, on the request of the applicant with relevant details. The Competent Authority before considering for adjustment shall ensure that the amount is credited in the respective Accounts of ULB/UDA/MRDA/APCRDA/IALA/VKPCPIR-SDA.

(5) The Owner / Applicant shall pay an initial amount of Rs. 10,000 [Rupees Ten Thousand Only] along with application and shall pay the balance penal charges and other required documents within 90 days from the date of application submitted failing which application deemed to be rejected since it is compulsory discloser scheme.

(6) The Penal amounts paid are not refundable. However, in cases of rejection, the Competent Authority may refund the amount after retaining 10% of the penal amount towards scrutiny and processing charges. In case of bonafide error in calculation, the excess amount paid may be refunded.

(7) Buildings constructed prior to 31-12-1997 are eligible for reduction of 25% on penalization charges. In these cases property tax receipt showing payment made prior to 31-12-1997 shall be attached to the application.

(8) In case of residential buildings falling in slums already identified / notified by the ULBs, only 50% of penalization charges shall be levied.

(9) The regularization scheme issued vide G.O.Ms.No.243, MA&UD Dept., Dt: 24.07.2018 for regularization of the constructions made on the Government lands (un objectionable encroachments) which were regularized and are being regularized by Revenue Dept., will be part of this scheme with the penal charges as specified therein.

6. The procedure for submission of applications mentioned in rule 3(1) of these rules and payment of penal charges mentioned in rule 5(1) of these rules is attached in Annexure-II.

7. Penalization not to apply to certain sites:

Penalization of unauthorized constructions shall not be considered in the following cases and in cases where public interest and public safety are likely to be adversely affected, viz.

(a) Encroachment on Government land or property belonging to Public undertakings, Andhra Pradesh Housing Board, Andhra Pradesh Industrial Infrastructure Corporation, Urban Development Authority, Metropolitan Development Authority, Capital Region Development Authority, Local body, Endowments, Wakf Board, etc.;

(b) Land for which the applicant has no title;

(c) Surplus land declared under Urban Land Ceiling /Agriculture Land Ceiling/ lands resumed under the Andhra Pradesh Assigned Lands (POT) Act;

(d) Buildings affected under alignment of any proposed road under Master Plan/Zonal Development Plan/Road Development Plan or any other public roads/Mass Rapid Transportation System (MRTS) /Bus Rapid Transportation System (BRTS)

(e) Tank bed and Sikham lands, River Course / Drain / Vagu any Water body ;

(f) Prohibited buildings under the Coastal Regulation Zone and such other environmentally restricted zones as prescribed in respective regulations;

(g) Layout/Master Plan open spaces/Areas earmarked for Recreation Use in Master Plan/Zonal Development Plan;

(h) Buildings that are not in conformity with land use approved in Master Plan/Zonal Development Plan / Zoning Regulations.

(i) Sites under legal litigation/ disputes regarding ownership of the site / building;

(j) Area earmarked for parking as per sanctioned plan;

(k) Buildings falling in 'Capital City Area' of Capital Region Development Authority Area.

(l) Under any circumstances the building / floors constructed after cutoff date 31.08.2018 are not eligible for penalization. If any Licensed Technical Personnel (LTP) / applicant submits such buildings for penalization, he will be black listed without any notice. No application of black listed LTP is acceptable until unless unblocked by the Competent Authority with the consent of the DT&CP in Online.

8. Exemption:

Huts, semi-permanent and RCC residential buildings up to two storeys (G+1) in sites up to 100 sq m are exempted from operation of these rules.

9. In case of application when part of site is required for road widening the applicant shall submit an undertaking as prescribed at Annexure-VI. The said road widening shall be earmarked in the plan.

10. Violation after submission of Application:

During verification, if it is found that the applicant has misrepresented / undertaken further additions or extensions to the existing building after submitting the application, then such application shall be summarily rejected duly forfeiting the entire penal amount and necessary action shall be taken against such unauthorized building including demolition / sealing of premises as per the Law and also criminal action will be initiated against LTP and applicant.

11. Scrutiny, Rejection and Approval by the Competent Authority:

After receipt of the Application for penalization in the prescribed proforma along with required documents and plans along with full payment of penal charges, the Competent Authority / the Officer delegated under delegation of powers issued in the G.O.Ms.No. 49, MA&UD, Dt. 01.02.2018, shall scrutinize the application and communicate its approval or rejection to the applicant as early as possible but not beyond six months from the last date of receipt of Applications. Mere receipt of application or any delay in communication of final orders in the matter will not imply the approval of the application.

12. Issue of proceedings showing Regulation and Penalization of the Building and Occupancy Certificate:

In case of approval, the Competent Authority shall issue proceedings to the effect that all proceedings and action of enforcement initiated or contemplated against the said construction are withdrawn and also stating that the building is regulated and penalized under these rules and the BPS proceedings issued by the competent Authority itself shall be treated as Occupancy Certificate as given in Annexure VIII in case of building completed in all aspects including finishings.

13. Appeal:

An appellate Committee with the following members is constituted for disposal of appeals:

(a)	Commissioner and Director of Municipal Administration, AP	: Chairman
(b)	Director of Town & Country Planning,, AP.	:Member
(c)	Engineer-in- Chief	:Member

(i) Any applicant aggrieved by an order passed by the Competent Authority under Rule 11, may prefer an appeal to the Commissioner of the Concerned ULB/Commissioner of APCRDA/Commissioner of IALA/Vice Chairman of VKPCPIR-SDA/Vice Chairman of concerned UDA/ Metropolitan Commissioner of MRDA within thirty days from the date of receipt of the order provided the applicant has paid the necessary charges and submitted documents as specified in rule 3 of these rules. The Town Planning Section Head concerned shall examine and furnish detailed report before the Committee within Fifteen Days from the date of appeal**.**

(ii) All the appeals shall be disposed off within 30 days from the date of receipt of Appeal.

14. Failure to come forward for penalization under the scheme

Where an application for regulating and penalizing the unauthorizedly constructed building has not been made as per rule 3,

(a) such unauthorized constructions would be treated as continuing offence and penalty as per Law would be levied;

(b) Other enforcement action including sealing of premises / demolition / filing of criminal cases shall be initiated by the Competent Authority as per law;

(c) No further building approvals shall be considered by the building sanctioning authority in the said site;

(d) The builder / developer responsible for constructing the building unauthorizedly or in deviation to the sanctioned plans shall be black-listed.

15. Amount collected to be kept in separate account:

The amount collected by the Competent Authority under these rules shall be kept and maintained under the control of the Competent Authority in a separate account and utilized only for improvement of amenities as prescribed by the Government.

In respect of Gram Panchayats, Nagar Panchayats, Municipalities and Corporations falling in the Urban Development Authority area or Metropolitan Region Development Authority or Capital Region Development Authority area, VK PCPIR and IALA the penal amount so collected will be shared in equal proportion between Urban Development Authority/ Metropolitan Region Development Authority/Capital Region Development Authority, VK PCPIR, IALA and Gram Panchayats, Nagar Panchayats, Municipalities, Corporations; concerned.

16. The DT& CP is the Monitoring Authority to address any grievances resulting out of the Software functioning and other issues related to the scheme and shall prepare Frequently Asked Questions (FAQs), clarifications and shall place the same in the Website. The expenditure incurred for development and maintenance of Software and supporting man power shall be met from the penal amount collected under this scheme and the DT&CP shall take necessary action accordingly.

17. Government may issue guidelines to operationalise these rules.

18. All existing rules, Regulations, Bye-laws and Orders that are in conflict or inconsistent with these rules shall stand modified to the extent of the provisions of these rules.

19. Annexure - I to VIII are attached to these rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationary & Stores Purchase, AP, Vijayawada (for Publication of the Notification in the Gazettee and furnish 500 copies to Government)
The Director of Town & Country Planning, A.P., Guntur
All Commissioners of Municipalities/Corporations/Nagar Panchayats through DT&CP, AP, Guntur
The Commissioner, Andhra Pradesh Capital Region Development Authority, Vijayawada
The Metropolitan Commissioner, Visakhapatnam Metropolitan Region Development Authority, Visakhapatnam.
The Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam
The Commissioner, Vijayawada Municipal Corporation, Vijayawada
The Commissioner, IALA
All Vice Chairmen of Urban Development Authorities in the State of A.P
The Vice Chairman of VKPCPIR-SDA.

Copy to:

The Director of Municipal Administration, AP, Guntur
The all the District Collectors
The Managing Director, Andhra Pradesh Industrial Infrastructure Corporation, Vijayawada
The Commissioner, Endowments, Department, A.P., Vijayawada
The Chief Commissioner of Land Administration, A.P., Vijayawada
The Engineer-in-Chief (Public Health), A.P., Vijayawada
The Commissioner, Transport, Department, A.P., Vijayawada
The Commissioner, Panchayatraj, Department, A.P., Vijayawada
The Vice Chairman, Andhra Pradesh Housing Board, Vijayawada
The Director General, Fire Services Department, A.P., Vijayawada
The Managing Director, AP Transmission Corporation, Vijayawada
The Airport Authority of India.
The P.S to Spl.CS to Hon'ble C.M
The OSD to Hon'ble Minister (MA & UD)
The P.S to Prl.Secy to Government, MA & UD Department
The P.S to Prl.Secy to Government, Revenue Department
The P.S to Prl.Secy to Government, Home Department
The P.S to Prl.Secy to Government, Irrigation Department
The P.S to Prl.Secy to Government, TR & B Department
The P.S to Prl.Secy to Government, PR Department
The P.S to Prl.Secy to Government, Agriculture & Cooperation
The P.S to Prl.Secy to Government, Industries Department
The Law(I) Department

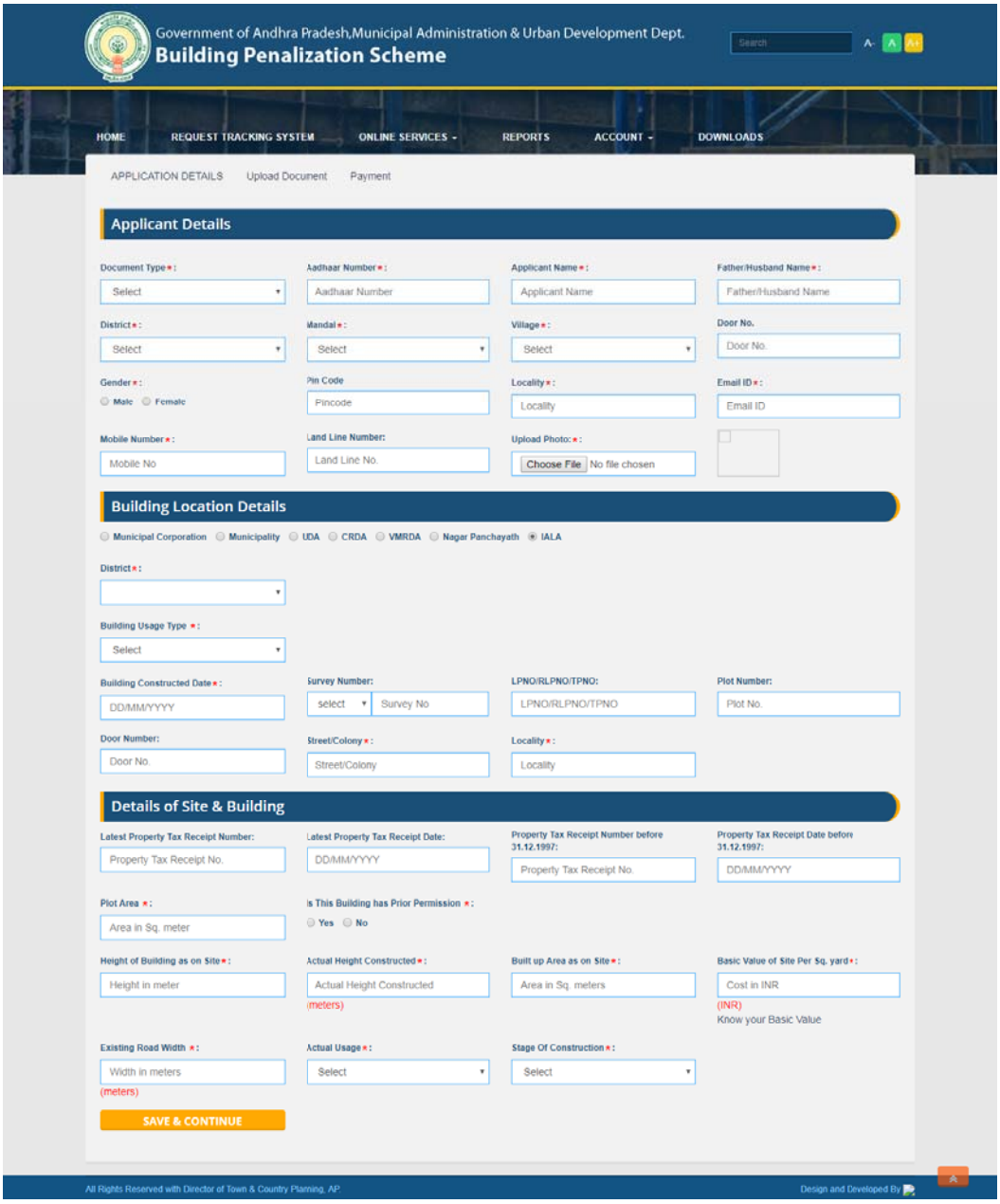
//FORWARDED:: BY ORDER//

SECTION OFFICER

List of Annexure to "The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and In Deviation to the Sanctioned Plan Rules, 2019

Annexure – I Annexure – II	: :	Application for penalization of buildings constructed unauthorizedly and in deviation to the sanctioned plan [BPS] Procedure for submission of applications and payment of penal charges through online
Annexure – III	:	Basic penalization charges for individual residential buildings, Institutional buildings, Industrial buildings and commercial buildings
Annexure – IV	:	Basic penalization charges for multiple dwelling units / flats / apartment complexes / Individual building converted into apartments/service apartments
Annexure – V	:	Penalization charges with reference to the land value
Annexure – VI	:	Road widening undertaking
Annexure – VII	:	Structural Stability Certificate
Annexure – VIII	:	Proceedings of the Commissioner of Andhra Pradesh Capital Region Development Authority / Nagar Panchayat / Municipality / Municipal Corporation/IALA, Vice-Chairman of Urban Development Authority/VKPCPIR/ Metropolitan Commissioner of Metropolitan Region Development Authority

ANNEXURE-I


Government of Andhra Pradesh,Municipal Administration & Urban Development Dept.
Building Penalization Scheme
HOME
REQUEST TRACKING SYSTEM
ONLINE SERVICES
REPORTS
ACCOUNT
DOWNLOADS
APPLICATION DETAILS
Upload Document
Payment
Applicant Details
Document Type*:
Aadhaar Number*:
Applicant Name*:
Father/Husband Name*:
District*:
Mandal*:
Village*:
Door No.
Gender*:
Male
Female
Pin Code
Locality*:
Email ID*:
Mobile Number*:
Land Line Number:
Upload Photo:*
Choose File
No file chosen
Building Location Details
Municipal Corporation
Municipality
UDA
CRDA
VMRDA
Nagar Panchayath
IALA
District*:
Building Usage Type *:
Building Constructed Date*:
Survey Number:
LPNO/RLPNO/TPNO:
Plot Number:
Door Number:
Street/Colony*:
Locality*:
Details of Site & Building
Latest Property Tax Receipt Number:
Latest Property Tax Receipt Date:
Property Tax Receipt Number before 31.12.1997:
Property Tax Receipt Date before 31.12.1997:
Plot Area *:
Is This Building has Prior Permission *:
Yes
No
Height of Building as on Site*:
Actual Height Constructed*:
Built up Area as on Site*:
Basic Value of Site Per Sq. yard*:
(meters)
(INR)
Know your Basic Value
Existing Road Width *:
Actual Usage*:
Stage Of Construction*:
(meters)
SAVE & CONTINUE
All Rights Reserved with Director of Town & Country Planning, AP
Design and Developed By

ANNEXURE-I -TABLE-1

Self-Computation table showing penalization charges for Individual, Residential Buildings/Industrial Buildings/ Institutional Buildings / Commercial Buildings for the cases where building permission was obtained but deviations made to sanctioned plan

Occupancy or Use of the Building (Tick the relevant Category)	Plot size (in sq m)	Built up area as per sanctioned plan (in sq ft)	Built up area as on ground (in sq ft)	Difference in area (in sq ft) [(5)=(4)-(3)]	Percentage of violation (in case of plot area above 300sq m)	Basic penal charges as per Annexure - III [Per Sq ft in Rupees]	Total penal charges as per Basic Penal Charges (in Rupees) [(8)=(5)x(7)]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	**Actual Penalization Charges to be Paid (in Rupees) [(8)x(10)]**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**	**(9)**	**(10)**	**(11)**
Individual Residential Building										
Industrial buildings										
Institutional buildings										
Commercial Building										

Annexure – I - TABLE – 2A

Self-Computation table showing penalization charges for Individual, Residential Buildings/Industrial Buildings/ Institutional Buildings / Commercial Buildings / Other Buildings for the cases where No building permission was obtained in Approved Layouts/Builtup areas/LRS Approved Layouts & Plots.

Occupancy or Use of the Building (Tick the relevant Category)	Plot size (in sq m)	Built up area as on ground (in sq ft)	Basic penal charges as per Annexure - III [Per Square feet in Rupees]	Total penal charges as per basic penal charges (in Rupees) [(5)=(3)x(4)]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	**Actual penalization charges to be paid (in Rupees) [(5) x (7)]**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**
Individual Residential Building							
Industrial buildings							
Institutional buildings							
Commercial Building							

Annexure – I - TABLE – 2B

Self-Computation table showing penalization charges for Individual, Residential Buildings/Industrial Buildings/ Institutional Buildings / Commercial Buildings / Other Buildings for the cases where No building permission was obtained in unauthorized Layouts -payments calculated as per G.O. Ms. No. 902, MA&UD dt. 31.12.2007

Plot size (in sq m)	Basic penal charges as per G.O. Ms. No. 902 [Per Sq.M (of plot area) in Rupees]	Total penal charges as per basic penal charges (in Rupees) [(3)=(1)x(2)]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per G.O. Ms. No. 902 i. e. with reference to Land value)	Actual penalization charges to be paid (in Rupees)	Total market value of the plot/site as per title deed/sale deed	14% of the market value of title deed/ sale deed [(8) = (7) x 0.14]	Conversion charges if the plot is in agricultural land use as per Master plan	**Total penal charges [(6) + (8)+(9)]**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**	**(9)**	**(10)**

Note: The conversion charges for the respective plots/sites calculated as listed below wherever applicable.

1. GO MS NO.87 MA&UD, Dt. 27.02.2018 (Local bodies covered in UDAs /MRDA/VKPCPIR-SDA/IALA).
2. GO MS NO.439 MA&UD, Dt.13.06.2007 (APCRDA).
3. GO MS NO.158 MA&UD, Dt. 23.03.1996 (Local bodies not covered in UDAs).

Annexure – I - TABLE – 2C

Self-Computation table showing penalization charges for Individual, Residential Buildings/Industrial Buildings/ Institutional Buildings / Commercial Buildings / Other Buildings for the cases where building regularization for multiple usage of the building (in approved cases as permitted in ZR)

Floor no.	Occupancy or Use of the Building	Built up area permitted (in Sq.Ft.)	Built up area as on ground (in sq ft)	Built up area in deviation (in sq ft) [(5)=(4)-(3)]	Basic penal charges as per Annexure-III [Per Sq.ft. in Rupees]	Total penal charges as per basic penal charges (in Rupees) [(7)=(5)x(6)]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	**Actual penalization charges to be paid (in Rupees) [(7)x(9)]**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**	**(9)**	**(10)**
GF									
First									
Second									
Third									
Fourth									
Total									

Annexure – I - TABLE – 2D

Self-Computation table showing penalization charges for Individual, Residential Buildings/Industrial Buildings/ Institutional Buildings / Commercial Buildings / Other Buildings for the cases where building regularization for multiple usage in the unauthorized building.

Floor no.	Occupancy or Use of the Building	Built up area as on ground (in sq ft)	Basic penal charges as per Annexure-III [Per Sq.ft. in Rupees]	Total penal charges as per basic penal charges (in Rupees) [(5)=(4)x(3)]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	**Actual penalization charges to be paid (in Rupees) [(5)x(7)]**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**
GF							
First							
Second							
Third							
Fourth							
Total							

Annexure – I - TABLE – 2E (2B+2D Tables)

Self-Computation table showing penalization charges for Individual, Residential Buildings/Industrial Buildings/ Institutional Buildings / Commercial Buildings / Other Buildings for the cases where building regularization for multiple usage of unauthorized buildings in unauthorized layouts

Total Penal charges as per 2B table to be paid towards land regularization to unapproved buildings in unauthorized Layouts (payments calculated as per G.O. Ms. No. 902, MA&UD dt. 31.12.2007)	Actual penalization charges as per 2D Table to be paid for unauthorized building regularization for multiple usage.	Total penalization charges to be paid towards land and building regularization (in Rupees) (3)=(1)+(2)
(1)	(2)	(3)

Annexure – I - TABLE - 3

Self-Computation table showing penalization charges for Multiple dwelling units / Flats / Apartment complexes / Individual building converted into apartments

(A)	**Multiple dwelling unit / Flat / Apartment constructed in-deviation to sanctioned plan:**			
Builtup Area (in Sq ft)	Basic penal charges as per Annexure - IV [Per Flat in Rupees]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	**Actual penalization charges to be paid (in Rupees)**
(1)	**(2)**	**(3)**	**(4)**	**(5)**

(B)	**Multiple dwelling unit / Flat / Apartment constructed unauthorizedly:**				
Builtup Area (in Sq ft)	Basic penal charges as per Annexure - IV [Per square feet in Rupees]	Total penal charges as per as per basic penal charges [in Rupees] [(3)=(1)X(2)]	Market value of the land as on 1.08.2018 (Sub-Registrar Value) (Per Sq. yd in Rupees)	Applicable percentage of basic penalization charges (as per Annexure V i. e. with reference to Land value)	**Actual penalization charges to be paid (in Rupees)**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**

INDEMNITY BOND & UNDERTAKING

(On Non-Judicial Stamp paper of Rs. 100 & Notarized) [To be submitted along with Application Form Given in Annexure – I)

This Indemnity Bond and Undertaking executed on this _____**day of _____2019** by
1. **Smt./Sri** _____S/W/o_____
Age _____Occupation _____, The Applicant/Owner
R/o [Address] _____
2.
and
Smt./Sri _____S/W/o_____
Age _____, Licensed Technical Person
R/o [Address] _____
LTP Regd. No._____

Herein after called the **FIRST PARTY** which term shall include their legal heirs, successors, assignees, agents, representatives and tenants.

IN FAVOUR OF

The Commissioner / Vice-Chairman/Metropolitan Commissioner_____ of _____Nagar Panchayat /Municipality / Municipal Corporation / Urban Development Authority / Andhra Pradesh Capital Region Development Authority/Visakhapatnam Metropolitan Region Development Authority/VKPCPIR-SDA/IALA herein after called the SECOND PARTY, **which term shall include all officials and staff of the Nagar Panchayat / Municipality / Municipal Corporation / Urban Development Authority / Andhra Pradesh Capital Region Development Authority/ Visakhapatnam Metropolitan Region Development Authority.**

Whereas the FIRST PARTY has applied for the penalization of the unauthorized construction [BPS] for the building as given in the schedule below.

Whereas the **SECOND PARTY** has agreed to consider the penalization of the unauthorized construction in the said site/ plot in terms of 'The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and in deviation of the Sanctioned Plan Rules, 2019 and stipulated a condition that there shall not be any defect/litigation's/land acquisition over the said site/land and the same shall be free from all claims of Govt./Banks/and attachments of Courts, and the **FIRST PARTY** has to indemnify the **SECOND PARTY** to this effect.

Whereas the **FIRST PARTY** having agreed to the aforesaid condition hereby indemnifies the **SECOND PARTY** with the above assurance and hereby solemnly declare that the above said site/land is the property of the **FIRST PARTY** which is possessed by him/her since the date of purchase / acquisition and the same is free from all defects, litigation's, claims and attachments from any courts, etc. and in case of any disputes/litigation's arises at any time in future the **FIRST PARTY will be responsible for the settlement of the same and the SECOND PARTY** will not be a party to any such disputes/litigation's.

Whereas the **FIRST PARTY** has furnished correct information in the on-line building penalization module such as present usage of building, master plan land use,

existing and proposed road width as per master plan, approved built up area, constructed built up area, height of building, structural stability etc., and if the second party notices in future that any or part of the information furnished by the **FIRST PARTY** is false or incorrect the **FIRST PARTY** has agreed for any penal action initiated by the **SECOND PARTY** including the cancellation of penalization proceedings and demolition of unauthorized construction.

Schedule: Building location:

Name of the First Party			
T. S. /R.S./D./NTS No.		Street	
Door No.		Locality	
Plot / Flat No.		City/Town/Village	
North		Plot/Flat Area : [in sq.m / sq.yd]	
East			
South			
West			

Signature & Name of FIRST PARTY

1. Owner/Applicant:

2. LTP:

WITNESSES:

1. **Signature:**
   Name and address:

2. **Signature:**

   Name and address:

Sworn and signed before me on this _____ day of _____ 2019 in presence of above Witnesses.

PUBLIC NOTARY

A N N E X U R E – II

Procedure for submission of applications and payment of penal charges through online

1. Building Penalization Scheme will be made as a completely online based work flow without the need for manual submission of applications. The entire process starting from registration of Applicant or Licensed Technical Person to the point of issuing regularization / penalization procedure will be made fully web based and as a centralized platform for all Urban Local Bodies, Urban Development Authorities, Metropolitan Region and Development Authorities and Capital Region Development Authority in the state of Andhra Pradesh.
2. Exclusive process will be made available where in applicant will register as a user under the Building Penalization Scheme web module, which includes registration of Licensed Technical Person with adequate due diligence will enable where registered LTPs registration numbers and validity of the license will pre-validated and ULB issued certificate will be uploaded and verified by the respective section head of Urban Local Bodies, Urban Development Authorities and Capital Region Development Authority.
3. Only registered and verified Licensed Technical Persons and Applicants will be permitted to submit applications with proper acknowledgements and in case of Licensed Technical Persons, they are permitted to submit multiple applications.
4. SMS & E-Mail based correspondence takes place for any shortfall information such as document shortfall or fee shortfall.
5. The penal charges will be handled only through online payment instruments such as Credit Card / Debit Card / Net Banking / UPI / NEFT / RTGS/ Meeseva / Wallet
6. The whole activity of each BPS application and its online payment transaction demand amount and subsequent payments made by the applicant will be maintained in the database along with transaction reference numbers.
7. As the proposed BPS platform will be employing the total online concept in the entire work flow and life cycle of BPS application, the scrutiny remarks captured in the note file and file movement across the hierarchy of the approval authority will be handled using exclusive work flow module where note files are circulated and monitored using complete online method, which gives the supervisory authority to have complete control over the activity.

A N N E X U R E – III

BASIC PENALISATION CHARGES (Rupees per Sq. feet of Built up area)

FOR INDIVIDUAL RESIDENTIAL BUILDINGS, INSTITUTIONAL BUILDINGS, INDUSTRIAL BUILDINGS AND COMMERCIAL BUILDINGS

Plot Size →	**Up to 100 sq m**	**101 to 300 sq m**	**301 to 500 sq m**		**501 to 1000 sq m**		**Above 1000 sq m**	
Occupancy Or Use			*Up to 30% deviation*	*above 30% deviation / totally unauthorized*	*Up to 30% deviation*	*above 30% deviation / totally unauthorized*	*Up to 30% deviation*	*Above 30% deviation/ totally unauthorized*
1	***2***	***3***	***4***	***5***	***6***	***7***	***8***	***9***
Individual Residential Buildings and Hostels	40	60	80	100	100	120	150	200
Industrial buildings and Godowns, Poultry Farms, etc.,	40	60	80	100	100	120	150	200
Institutional Buildings (Schools, Colleges, Hospitals, Nursing homes, clinics, Research Institutions, Libraries, Cultural Institutions, Religious & Charitable buildings)	40	60	90	110	110	130	165	220
Commercial Buildings (function halls, hotels, Lodges, Restaurants, shopping complexes, banks, Cinema theaters, multiplexes, malls, IT/ITES	80	120	160	200	200	250	300	400

Offices and Private Offices)								

*** Above charges are basic rates. Actual charges varies with reference to land value as per Annexure-V**

ANNEXURE – IV

BASIC PENALIZATION CHARGES FOR MULTIPLE DWELLING UNITS / FLATS / APARTMENT COMPLEXES / INDIVIDUAL BUILDING CONVERTED INTO APARTMENTS/SERVICE APARTMENTS

Builtup area of Flat (In Sq. ft)	**Basic Penalization Charges per Flat constructed in deviation to Sanctioned Plan in permitted floors**	**Basic Penalization Charges for Unauthorized Floors [Per Sq. ft. of Built up area]**
1	***2***	***3***
Up to 600	Rs. 20,000	Rs.120
601 to 1200	Rs. 40,000	Rs.150
1201 to 2000	Rs. 60,000	Rs.180
Above 2000	Rs. 80,000	Rs.200

*** Above charges are basic rates. Actual charges varies with reference to land value as per Annexure-V**

A N N E X U R E – V

PENALIZATION CHARGES WITH REFERENCE TO THE LAND VALUE

Market Value of the land as on 1.08.2018 (Sub-Registrar value) [Per sq. yard in Rupees]	**Penalization Charges (% of basic penalization amount given in Annexure – III)**
1	***2***
Above 25,000	100%
10,001 to 25,000	80%
5,001 to 10,000	70%
1,001 to 5,000	60%
Up to 1,000	50% -

ANNEXURE - VI

ROAD WIDENING UNDERTAKING
BPS File No.:

[Notarized undertaking to be executed on Rs.100/- Non-Judicial Stamp Paper]

This undertaking is executed on this the…..……day of ……..……2019 by……..……S/W/o…….. ……..…… R/o…… situated at …….. herein after called the **First Party** which term shall include their legal heirs, successors, assignees and tenants in favour of the Commissioner/Vice-Chairman, Metropolitan Commissioner, ……..……Nagar Panchayat/Municipality/Municipal Corporation/Urban Development Authority/Metropolitan Region Development Authority/Andhra Pradesh Capital Region Development Authority/VKPCPIR-SDA/IALA, herein after called the **Second Party** which term shall include its representatives, agents, officials and staff.

WHEREAS, the **First Party** has applied to the **Second Party** for regulating and penalizing the building constructed unauthorizedly / in deviation to sanctioned plan in the premises situated as given below.

Schedule: Building location:

Name of the First Party			
T. S. /R.S./D./NTS No.		Street	
Door No.		Locality	
Plot No.		City/Town/Village	
North		Plot Area : [in sq.m / sq.yd]	
East			
South			
West			

Schedule of Flat applicable for Apartments/Multiple Dwelling Units

Name of the Apartment			
Floor No.			
Flat No.		Flat Area : [in sq.m / sq.yd]	
North			
East			
South			
West			

WHEREAS, the **Second Party** has stipulated a condition that:

The land which is getting affected due to the proposed road widening throughout the frontage of the plot as per Master Plan/Zonal Development Plan/Road Development Plan from the existing width of ……..(mts.) [or]……(ft) to the proposed width of ……..(m) [or]…….(ft) admeasuring ……..(sq.m) [or] ……..(sq. ft) [or]…….(sq.yd) located in the premises as given in the Schedule above as earmarked in the submitted plan shall be surrendered to the **Second Party** for road widening free of cost without claiming any compensation towards the land affected under road widening portion.

The **First Party** in token of accepting the above conditions hereby undertake that the physical possession of the strip of land is hereby handed over to the **Second Party** free of cost without claiming any compensation towards the said land.

The above undertaking is executed by me with free will and due consciousness.

Signature of the First Party

Name of the First Party

WITNESSES:

1. **Signature:**
   Name and address:

2. **Signature:**
   Name and address:

Sworn and signed before me on this ---------- day of ---------- 2019 in the presence of above witnesses.

PUBLIC NOTARY

ANNEXURE – VII

Structural Stability Certificate

I hereby certify that, I have inspected the building scheduled below and found structurally safe and the construction is in accordance with the specified designs and that I will be held responsible if the same are not in order at a later stage.

Schedule: Building location:

Name of the First Party			
T. S. /R.S./D./NTS No.		Street	
Door No.		Locality	
Plot No.		City/Town/Village	
North		Plot Area : [in sq.m / sq.yd]	
East			
South			
West			

Schedule of Flat applicable for Apartments/Multiple Dwelling Units

Name of the Apartment			
Floor No.			
Flat No.		Flat Area : [in sq.m / sq.yd]	
North			
East			
South			
West			

Name

Signature of Licensed Structural Engineer

License No.

Stamp

Address

Phone Mobile

Land line

Signature of the Applicant

Name of the Applicant

Date **Place**

ANNEXURE – VIII

Proceedings of the Commissioner / Metropolitan Commissioner / Vice-Chairman

……
Nagar Panchayat /Municipality/Municipal Corporation/ Urban Development Authority/ Metropolitan Region Development Authority / Andhra Pradesh Capital Region Development Authority/VKPCPIR-SDA/IALA

PRESENT: Sri/Smt.----------

Proceedings No. dated: . .2019

Sub: Regulation and penalization of buildings constructed unauthorizedly and in-deviation to the sanctioned plan – building bearing H. No. / premises No.……of……Gram Panchayat / Nagar Panchayat / Municipality / Municipal Corporation / ……..Urban Development Authority / Andhra Pradesh Capital Region Development Authority/ Metropolitan Region Development Authority/ VKPCPIR-SDA/IALA – Penalization Orders – Issued – Reg.

Ref: BPS Application No…….. dated: . .2019 of Sri/Smt…….

The Application submitted in the reference cited for Regulation and penalization of flat/building has been examined with reference to 'The Andhra Pradesh Regulation and Penalization of Buildings Constructed Unauthorizedly and In Deviation to the Sanctioned Plan Rules, 2019' and found to be in order. Hence the said flat/building is penalized and regulated as per the details given below. The building plans are attested and enclosed herewith.

S. No.	**DETAILS**		
1	**Name of the Applicant**		
2	**Postal Address**		
a	Door No. / Plot No.		
b	Street		
c	Locality		
d	City / Town / Village		
e	PIN		
f	Email-id		
g	Phone No.	Land Line	
		Mobile	
3	**DETAILS OF THE BUILDING**		
a	**Building Location**		
i	T.S./R.S./D./N.T.S. No.	_____ of _____ Village, _____	

		Mandal	
ii	LP/TP/RLP No.		
iii	Plot No.		
iv	Door No.		
v	Street		
vi	Locality		
vii	Village/Town/City		
b	**Building Status** [tick the applicable case]	**Building constructed unauthorisedly**	
		Building constructed In deviation to sanctioned plan	
c	**Building Details**		
i	Plot Area (in Sq. m)		
ii	No. of floors /Height in (m).as per sanctioned plan		
iii	No. of floors /Height in (m) as on site.		
iv	Total built up area of building/flat as per sanctioned plan (in Sq m / Sq. ft)		
v	Total built up area of building/flat as on site (in Sq m / Sq. ft)		
vi	Area constructed in-deviation to sanctioned plan (in Sq m / Sq. ft)		
vii	Area constructed without sanctioned plan (in Sq m / Sq. ft)		
viii	Built-up area Regularized		
D	**Road Access Details**		
I	Existing road width of abutting road (m)		
Ii	Proposed road width of abutting road as per Master Plan / Zonal Development Plan / Road Development Plan (m)		
Iii	Affected area in the road widening (sq m)		
Iv	Whether site is getting affected in road widening	YES	NO
V.	If Yes, whether road widening undertaking is given	YES	NO
E	**Building Usage** [tick the applicable case]	Individual residential building	
		Industrial Buildings	
		Institutional Buildings	
		Commercial building	
		Apartment/Flat	
F	**Penalization Charges**		

I	Total penalization charges paid	Rs.(in figures) Rs.(in words)		
Ii	Online Remittance Number	Number	Date	Amount (in Rs.)
(1)				
(2)				
(3)				
(4)				

2) This proceedings itself shall be treated as Occupancy Certificate

3) Further all proceedings and action of enforcement initiated and contemplated against the said building are withdrawn.

Metropolitan Commissioner/Commissioner / Vice-Chairman

……
MRDA/APCRDA/ Nagar Panchayat / Municipality/ Mpl. Corporation/IALA /VKPCPIR-SDA / UDA

To
Sri/Smt. ……,
……,
……,
……
Copy to the Head of the Town Planning Section
Copy to the Head of the Revenue Section

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER